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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/340,303 03/13/00 GOLDSTEIN

F 227076/014

EXAMINER

QM32/1127

KTM, E

ART UNIT

PAPER NUMBER

3721

**DATE MAILED:**

11/27/00

STROOCK & STROOCK LLP  
180, MAIDEN LANE  
NEW YORK NY 10038

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No. 09/340,303	Applicant(s) Goldstein
Examiner Eugene Kim	Group Art Unit 3721

Responsive to communication(s) filed on \_\_\_\_\_.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-21 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been  
 received.

received in Application No. (Series Code/Serial Number) 08/244,022.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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***Claim Rejections - 35 USC § 103***

1. Claims 1-13, 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (#5,407,417) in view of Hinzmann.

Goldstein shows a ribbon curling device using a delivery means 12, curling means 16, 26, 36, 46, 66 and stripping means for removing the ribbon after being drawn through curling means.

The ribbons can be split into strands (col 4 lines 54+). Goldstein shows the drag force is determined by the shape and length of the contact surface. (Col 2 lines 50+). Goldstein shows guide means 14 to form an approach angle wherein the angle is varied and depending on the approach angle, a degree of curl is imparted (col 2 lines 55+). Goldstein discloses that the operation could include an integral cutter and may further include splitting hooks for splitting a ribbon into strands (col 4 lines 55+). Goldstein does not specifically show the shredding means but it is inherent that the shredding means are going to be in a suitable location to shred the ribbon means and being placed in an operating and nonoperation position to shred and not shred the work piece respectively. Goldstein discloses that the precise arrangement and dimensions of the device may be chosen to suit particular requirements of use (col 4 lines 62+). Therefore, the location of the shredding device could be arranged to the user's preference and would be obvious to arrange the shredding device as claimed. Furthermore, little patentable weight is given to the location of parts unless there is some criticality or unexpected result from the location. See in re

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Japikse, 86 USPQ 70 (CCPA 1950). Goldstein also discloses that any or all of the optional feature may be incorporated, such as, the adjustable guide 27, sliding guide 47 and drag surface 14a. Goldstein shows an alternative cam wheel roller 69a that works to impose different drag forces on the ribbon (col 4 lines 28+). Goldstein does not specifically disclose the drive means to draw the ribbon since the drive means appears to be manual means. Hinzmann shows a curling device for webs of paper comprising: delivery means 114 for delivering a supply of webs, curling means 17 for curling the web, drive means downstream of the curling means and stripping means 26a to remove the curled webs. Hinzmann shows drive wheels 38, 16a, 39 with the middle roller being driven and the outer wheels being idle to drive the web. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Goldstein with drive means as taught by Hinzmann to automate the manufacturing process/apparatus.

Regarding the configuration of the guide means, little patentable weight is given to the configuration of elements unless there is some criticality or unexpected result from the particular configuration. See *in re Dailey*, 149 USPQ 47 (CCPA 1976).

Regarding the shredding blades, it is well known in the art to use shredding blades in the curling operation. Furthermore, Goldstein discloses that the ribbon may be shredded.

Regarding the approach angle being less than 20 degrees, examiner notes that optimum ranges via experimentation are not a patentable modification. See *in re Aller*, 105 USPQ 233 (CCPA 1955). Furthermore, the operation of Goldstein is adjustable and fully capable of forming an approach angle dependent upon the user's preference.

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2. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein in view of Hinzmann as applied to claims 1-13, 15-21 above, and further in view of Watzka (#4,217,745). Goldstein in view of Hinzmann do not show a providing a supply of multiple ribbons as claimed. Watzka teaches the basic concept of using a plurality of tracks to provide for a plurality of supplies. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Goldstein in view of Hinzmann with a plurality of supplies as taught by Watzka to multiply the effect. The method of Goldstein in view of Hinzmann in view of Watzka is fully capable of manufacturing any type of web, such as, a ribbon.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Spargo shows a shredder with multiple blades.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Kim whose telephone number is (703) 308-1886.



Eugene Kim

November 20, 2000